

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

Criminal No. 1:13-cr-383

v.

The Hon. Liam O'Grady

DENNIS OWEN COLLINS,  
JEREMY LEROY HELLER,  
ZHIWEI CHEN,  
JOSHUA S. PHY,  
RYAN RUSSELL GUBELE,  
ROBERT AUDUBON WHITFIELD,  
ANTHONY TADROS,  
GEOFFREY KENNETH COMMANDER,  
PHILLIP GARRETT SIMPSON,  
AUSTEN L. STAMM,  
TIMOTHY ROBERT McCLAIN,  
WADE CARL WILLIAMS,  
THOMAS J. BELL,

Defendants.

**PROTECTIVE ORDER**

This matter is before the Court on the parties' Joint Motion for Entry of a Stipulated Protective Order restricting the disclosure and dissemination of the documents, electronic records, and other information produced by the United States to the defendants as part of the government's discovery obligations in this case. These documents, electronic records, and other information ("Protected Documents"), which will be marked as "PROTECTED DOCUMENTS", shall be subject to the following Order:

1. The government shall disclose Protected Documents to the defendants as part of its discovery obligations, in accordance with the Federal Rules of

Criminal Procedure, relevant case law, and this Court's Discovery Order. Where Protected Documents are produced electronically on disc, only the physical disc (and not the individual electronic files) must be labeled "PROTECTED DOCUMENTS."

2. The disclosure or provision of documents or materials by the government to the defendants shall not operate as a waiver of any privilege or protection that could or may be asserted by the holder of any such privilege or protection.

3. Access to Protected Documents shall be restricted to persons authorized by this Order, namely the defendants, their attorneys of record in this case, and the employees of the attorneys of record who are performing work on behalf of the defendants.

4. The following restrictions are placed on the defendants, defendants' attorneys, and the above-designated individuals, unless and until further ordered by the Court. The defendants, defendants' attorneys, and the above-designated individuals shall not:

- a. make copies of Protected Documents for, or allow copies of any kind to be made by, any other person;
- b. allow any other person to read Protected Documents; and
- c. use the Protected Documents or information contained therein for any purpose other than preparing to defend against the criminal charges in this matter.

5. Defendants' attorneys shall inform any person to whom disclosure may be made pursuant to this Order of the existence and terms of this Order.

6. Nothing in this Order shall restrict use by the defendants' attorneys of Protected Documents or information during the defendants' investigation of the allegations and preparation of their defenses or introduction as evidence at trial, except that the Defense will notify the government prior to trial of any Protected Documents that it wishes to introduce at trial so that the government may seek an additional order sealing the documents and information contained therein from public disclosure as necessary. Where appropriate, however, defendants' attorneys must redact any personal identifying information in the Protected Documents, in accordance with Federal Rule of Criminal Procedure 49.1, Local Criminal Rule 47, and the U.S. District Court for the Eastern District of Virginia Guide to February 15, 2005 Local Rule Amendments Concerning Personal Identifiers.

7. Prior to the disclosure of any Protected Documents to a person not identified in Paragraph 3 of this Order, counsel for the defendants must first receive permission from the Court for such disclosure. Such permission may be requested *ex parte*.

8. Upon conclusion of this action, and consistent with the ethical responsibilities of defense counsel, defendants' attorneys shall return to government counsel, or destroy and certify to government counsel the destruction of, all Protected Documents within a reasonable period of time, not to exceed thirty days after the last appeal is final.

IT IS SO ORDERED.

  
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THE HONORABLE LIAM O'GRADY  
UNITED STATES DISTRICT JUDGE

Date: October 21, 2013  
Alexandria, Virginia